

News Release

For Immediate Release: **October 30, 2006**

Contacts: Dr. Nicole Rosmarino, Forest Guardians, Santa Fe, NM (505) 988-9126 x156
Erin Robertson, Center for Native Ecosystems, Denver, CO (303) 546-0214
Noah Greenwald, Center for Biological Diversity, Portland, OR (503) 484-7495
Mark Salvo, Sagebrush Sea Campaign, Chandler, AZ (503) 757-4221

BUSH ADMINISTRATION POLITICAL APPOINTEE REVERSES ENDANGERED SPECIES PROTECTIONS FOR NATION'S WILDLIFE

CONSERVATION GROUPS CALL FOR INVESTIGATION OF DEPUTY ASSISTANT SECRETARY JULIE MACDONALD

Washington, D.C. Department of Interior Deputy Assistant Secretary Julie MacDonald and other Interior Department officials repeatedly distorted scientific findings to prevent the protection of species under the Endangered Species Act. Echoing a call from the Union of Concerned Scientists to restore scientific integrity to the Interior Department, conservation groups throughout the West have called upon Interior Secretary Dirk Kempthorne to determine which other species may have been denied protection by MacDonald's actions, to reconsider the decisions made with her interference, and to ask for MacDonald's resignation.

While the Endangered Species Act requires that decisions be made solely on the basis of the best available science, MacDonald, an engineer with no biological training, reversed numerous scientific findings without any biological justification, and in some cases directly edited the documents herself.

"The Endangered Species Act's wisdom is to provide protection for endangered wildlife and plants based on biological need, and to buffer them from political whims," stated Nicole Rosmarino, conservation director of Forest Guardians. "Secretary Kempthorne has a duty to ensure agency biologists are not bullied and the best available science is upheld."

Documents obtained under the Freedom of Information Act confirm that internal findings produced by the U.S. Fish and Wildlife Service determined that the Gunnison sage-grouse, Gunnison's prairie dog, white-tailed prairie dog, roundtail chub, Mexican garter snake, and a Mariana Islands plant should be considered for endangered species protection, but in each case, MacDonald or another high level official ordered the biologists to reverse their findings. For several of these species, MacDonald personally edited the findings to reverse their conclusions (documents available upon request).

"That a high level political appointee with no training in biology is rewriting the conclusions of U.S. Fish and Wildlife Service scientists to deny protection to some of the nation's most imperiled species is a travesty," stated Noah Greenwald, conservation biologist with the Center

for Biological Diversity. “The Bush administration has an unwritten policy to systematically deny wildlife protection, dooming them to extinction.”

A 2005 survey of U.S. Fish and Wildlife Service scientists conducted by the Union of Concerned Scientists and Public Employees for Environmental Responsibility exposed pervasive political interference in scientific decision-making at the agency. Over 300 agency scientists responded that they knew of cases where political appointees at the Department of Interior had interfered with scientific determinations, and 84 scientists reported having been directed to inappropriately exclude or alter technical information in U.S. Fish and Wildlife Service scientific documents.

“Endangered plants and wildlife have a tough enough time without politicians manipulating the science,” said Erin Robertson, staff biologist with Center for Native Ecosystems. “It’s time for Secretary Kempthorne to dismiss Julie MacDonald and fix her illegal decisions.”

The Bush administration has listed fewer species under the Endangered Species Act than any other administration since the law was enacted in 1973, to date only listing 56 species compared to 512 under the Clinton administration and 234 under the first Bush administration. The Bush administration has listed so few species in part because it has been denying species protection at record rates. Of all the endangered species listing decisions made under the Bush administration, forty-seven percent denied protection as compared to only 13% during the last five years of the Clinton Administration. Meanwhile, nearly 300 species languish on the candidate list without protection.

“The Endangered Species Act is incredibly effective at saving species from extinction, but can only work if imperiled species are actually provided the protections of the Act by being listed as threatened or endangered,” stated Mark Salvo, Director of the Sagebrush Sea Campaign.

Species Subjected to Altered Petition Findings:

Gunnison’s prairie dog. This species is located on the Colorado Plateau, where Arizona, Utah, New Mexico, and Colorado meet and has declined by 97% in the past century, according to FWS. It is threatened by oil and gas drilling, shooting, poisoning, and non-native disease. On January 19, 2006, FWS’s Mountain-Prairie Regional Office was instructed to reverse their positive petition finding to a negative one. An internal U.S. Fish and Wildlife Service email stated “Per Julie please made the pd [prairie dog] finding negative.” On February 7, FWS published a negative finding in the Federal Register. For more information, contact Nicole Rosmarino: 505-988-9126, nrosmarino@fguardians.org

Gunnison Sage-grouse. The Gunnison Sage-grouse is a distinct species from Greater sage-grouse and occurs in eight isolated populations in southwestern Colorado and southeastern Utah. Gunnison sage-grouse have experienced significant population declines from historic numbers and only about 4,000 breeding individuals remain. U.S. Fish and Wildlife Service biologists and field staff determined that Gunnison Sage-grouse should be listed as endangered under the ESA, but their decision was reversed by J. MacDonald and other officials in Washington, DC. Complete information available at www.sagebrushsea.org.

White-tailed prairie dog. One of five prairie dog species, the white-tailed prairie dog is found in the sagebrush country of Wyoming, Colorado, Utah, and Montana, but has disappeared from over 90% of its historical habitat. In 2004, the U.S. Fish and Wildlife Service claimed that neither the 300-page petition submitted by Center for Native Ecosystems nor the state wildlife agencies' Conservation Assessment contained substantial information about threats to the white-tailed prairie dog. Documents now show that the agency actually concluded that oil and gas drilling and plague both may constitute serious threats, and the Service planned to consider the white-tailed prairie dog for Endangered Species Act protection before MacDonald intervened. Contact Erin Robertson or see www.nativeecosystems.org/species/white-tailed-prairie-dog/

California tiger salamander. In 2000 and 2003, distinct population segments of the California tiger salamander in Santa Barbara and Sonoma Counties, respectively, were listed as endangered by FWS. In 2004, the more widely distributed Central California population was also listed as threatened. Inexplicably, and without any scientific basis, the 2004 rule listing the Central California population of the salamander also changed the listing status of the Santa Barbara and Sonoma populations from endangered to threatened and eliminated their separate status as distinct population segments. Rather than simply semantics, these changes allowed the blanket authorization of habitat destruction that would not have been illegal were the populations still considered endangered. A court decision overturning downlisting of the populations concluded that Julie MacDonald was directly involved in the decision and ignored the conclusions of a FWS scientific review team, stating: "A memorandum of a telephone conversation from a staff member with Julie MacDonald stated that, "Julie thinks Central, SB and Sonoma should be un-DSP'd [and] SB [and] Sonoma are not significant (even though genetics state otherwise)."

Bull trout. At the behest of attorney Ronald Yokim, who represents several counties in Oregon, Julie MacDonald forced FWS to reduce critical habitat in the Klamath Basin for the bull trout from a proposed 296 miles to just 42 miles. Responding to questions on proposed critical habitat posed by MacDonald, a FWS biologist stated: "Yokim is an attorney representing various interest groups. It appears Julie has shared our responses to her comments with Yokim, which have generated additional comments by Yokim. It seems to me that it would be inappropriate to essentially continue the public comment period (it is closed) by contacting and responding to his follow up questions/comments that he did not provide during the comment period... "As usual, it is apparent she has not read the rule, or at least not carefully; relaying Yokim's comments without consideration of their validity is exceedingly unprofessional.

Roundtail chub. The Center for Biological Diversity petitioned the U.S. Fish and Wildlife Service (FWS) to list a distinct population segment of the Roundtail Chub--a southwestern fish imperiled by a combination of non-native fish introductions and degradation of its stream and river habitat-- in the lower Colorado River Basin. In response to the petition, FWS determined that the lower Colorado River population of the Chub is not significant to the species as a whole and thus did not qualify for protection under the Endangered Species Act. This decision reversed the conclusions of the FWS field office in Arizona, which determined that the population was significant because its loss would mean the species was eliminated from over a third of its range, including two states, because it occurs in a unique ecological setting and to a lesser extent because of genetic differences. The reversal was based largely on questions and comments from

Chris Nolin, Chief of the Division of Conservation and Classification in the DC office of the U.S. Fish and Wildlife Service.

Mariana Islands plant. The plant *Tabernaemontana rotensis* occurs on the Northern Marianas Islands, where fewer than 100 plants survive. Based on its precarious status FWS, drafted a proposed rule to list the plant and sent it to DOI, who objected to the rule claiming that it is not a recognized species. Not caving under pressure, FWS provided further support for recognition of the species, including seeking peer review by recognized scientific experts, all of whom concluded the species should be recognized. Rather than heeding the advice of FWS or these experts, DOI simply deleted text supporting species recognition and concluded: "we have re-examined the basis for recognition of *T. rotensis* as a distinct endemic species and now consider Leeuwenberg's treatment to be the most credible taxonomic interpretation". There is no document anywhere in the record explaining why Leeuwenberg's account is better. To the contrary, all the agency argumentation states that Leeuwenberg is wrong and contradicted by all other scientists. Nor does the listing rule reveal who the "we" is that deemed Leeuwenberg to be correct.

Mexican garter snake. The Mexican Garter Snake is a highly imperiled aquatic snake of the southwestern U.S. and northern Mexico that was denied protection September 26, 2006. In its determination, FWS recognized that the garter snake is extirpated from 85-90 percent of its range in the U.S., declining, and severely threatened by multiple factors in both the U.S. and Mexico. Sources inside the agency stated that FWS sent a positive rule to protect the snake to DOI only to have it reversed.

Additional resources:

- UCS/PEER report, "Politics Trumps Science at U.S. Fish & Wildlife Service: Survey Reveals Inappropriate Orders to Alter Scientific Findings, Decisions." Online at: http://www.ucsusa.org/news/press_release.cfm?newsID=459.
 - Center for Biological Diversity report, "Bush Administration Listing Record: as of September 2006." Online at: <http://www.biologicaldiversity.org/swcbd/PROGRAMS/policy/esa/Bush-attacks.pdf>.
-
-